

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
June 20, 2012**

A meeting of the Town Council was held on Wednesday, June 20, 2012 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Robert Dellorco, Glenn Jones, Matt Kelly, Judith Pfeffer, Tina Powderly, Jeff Roy, Robert Vallee, Thomas Mercer(Via Remote Participation). Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cerel; Town Attorney and Maxine Kinhart; Assistant to the Town Administrator. Other officials present: Deborah Pellegri; Town Clerk, Gary McCarraher; Fire Chief.

CALL TO ORDER: Chairman Vallee called the meeting to order at 7:00PM with a moment of silence and the Pledge of Allegiance.

APPROVAL OF MINUTES: *Audio not working during this portion of Meeting – audio starts at 2:24.*

ANNOUNCEMENTS: Chairman Vallee announced that Comcast, Verizon and Franklin Matters are recording the Town Council meeting.

CITIZEN COMMENTS: NONE.

APPOINTMENTS: Annual Committee Appointments – MOTION by Councilor Pfeffer to ratify the annual reappointments to the following boards and commissions: **Charles River Pollution Control** (3 Year Term) – Eugene Guidi of 69 Country Club Drive; **Community Garden Committee** (1 Year Term) – Amy Acevedo of 64 Maple Street, Chris Clay of 5 Paulene Drive, Kiernan Joliat of 24 MacKintosh Street, Richard Clauser of 64 BayBerry Common, Teresa Triana of 24 Sophia Circle; **Conservation Commission** (3 Year Term) – Jon Fournier of 11 Warwick Road, Monique Allen of 1 Christine Ave; **Council on Aging** (3 Year Term) – Robert Gagnon of 5 Francesco Avenue, Stella Jeon of 17 Sherman Ave; **Design Review Commission** (3 Year Term) – Mark Fitzgerald of 13 Christine Avenue, Chris Baryluk of 25 Winterberry Drive; **Finance Committee**– Brett S. Feldman of 86 Stone Ridge Road, Linda Poole Huempfner of 12 Hailey Ave; **Franklin Disability Commission** (3 Year Term) – Michael Furilla of 129 Central Park Terrace, Lorraine McLaughlin of 186 Peck Street; **Historical Commission** (3 Year Term) – Alan Earls of 222 Pond Street; **Housing Authority** (5 Year Term) – George Danello of 56 Jefferson Road; **Library Board of Directors** (3 Year Term) – Monique Doyle of 3 Greensfield Road, Charleen Belcher of 31 Meadowlark Lane; **MAPC** (3 Year Term) – Jeffrey D. Nutting, Municipal Building; **Municipal Affordable Housing Trust Fund Committee** (1 Year Term) – Jeffrey Nutting, Municipal Building, Maxine Kinhart, Municipal Building, Judy Pfeffer of 79 Cottage Street, Mary Anne Bertone of 17 Grey Wolf Drive, Christopher Vericker of 63 Dean Avenue, Robert Gagnon of 5 Francesco Ave; **Norfolk County Advisory Board** (1 Year Term) – Peter Padula of 14 Fort Apache Drive; **Public Land Use Committee** (3 Year Term) – Jeff Livingstone of 68 Daniels Street; **Recreation Advisory Board** (3 Year

Term) – Wayne Simarrian of 204 Jordan Road, Robert Dellorco of 7 Wilson Road;
Zoning Board of Appeals (3 Year Term) – Timothy Twardowski of 62 Oxford Drive,
Philip Brunelli (Associate) of 26 James Street **SECONDED** by Councilor Jones. **ROLL
CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-
Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous.**

Design Review Commission – **MOTION** by Councilor Pfeffer to ratify the appointment
of Anna Moses of 32 Stewart Street to serve as a Member of the Commission
SECONDED by Councilor Kelly. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-
Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes.
VOTE to Approve: Unanimous.**

PROCLAMATION/RECOGNITIONS: NONE.

**HEARINGS: First Public Hearing - Zoning Bylaw Amendment 12-685: Changes to
Chapter 185-24 Floodplain District – 7:10PM**

MOTION by Councilor Powderly to waive the reading **SECONDED** by Councilor
Kelly. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-
Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve:
Unanimous. DISCUSSION:** Mr. Nutting explained the changes are straightforward
updating of 30-year-old maps as indicated by the Federal Government. **MOTION** by
Councilor Jones to close the hearing **SECONDED** by Councilor Kelly. **ROLL CALL:
Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes,
Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous.**

LICENSE TRANSACTIONS: NONE

NOTE: Presentations were taken out of order.

PRESENTATIONS/DISCUSSIONS: Town Clerk Deborah Pellegrini reviewed the
history of the Boston Post Cane which is awarded to the Town's oldest resident.
Chairman Vallee presented the Boston Post Cane to Helen Carberry. Mrs. Carberry
is a lifelong resident of Franklin where she attended Franklin Public Schools and
also was a teacher for Franklin Public Schools for over 40 years. Chairman Vallee
read the proclamation, which honored and celebrated Mrs. Carberry's life.

Recycling Committee – Chairman Gene Grella and Vice Chairman Steve Huston
presented an update on the Town's recycling efforts and offered several
recommendations moving forward. The Committee increased awareness of recycling.
Schools have not met the goal of 100% recycling, but have improved. According to Mr.
Grella, Solid Waste Coordinator Chris White reports the Town picked up more trash tons
than planned, and increased recycling by 32% since the automated trash system began.
Mr. Grella made several recommendations which included pairing recycling and trash
bins at entrance/exits at Town fields, Town should absorb costs of separate contractor
fees for schools and Town fields, school cafeterias should be targeted to improve
recycling efforts and the Town should continue recycling audits. Mr. Grella indicated the
Committee will disband partly because the current committee has worked together for a

while now and are ready to move on. Mr. Grella would like to see a committee continue, but would recommend having members from the Council or administration as part of the committee. Councilor Roy thanked the committee for their work and for their recommendations. Mr. Grella said it was a pleasure to serve the Town.

SUBCOMMITTEE REPORTS: NONE.

LEGISLATION FOR ACTION:

Resolution 12-51: Street Acceptance – Councilor Pfeffer read the resolution to transfer twenty-five thousand dollars from Free Cash to the Street Acceptance Account to cover costs related to the public acceptance of approved subdivision roads. **MOTION** by Councilor Pfeffer to move Resolution 12-51 **SECONDED** by Councilor Jones.

DISCUSSION: Mr. Nutting explained the funds will be used to cover expenses for maps, engineering/surveying work and recording fees for streets that have been back-logged for a long time. Councilor Powderly asks what are the benefits of having the streets accepted. Mr. Nutting states the Town will receive more Chapter 90 funds from the Commonwealth and equity for the taxpayers. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous.**

Resolution 12-52: Appropriation: Fire Salaries – 01220100 - Councilor Pfeffer read the resolution to transfer \$75,000 from Free Cash to the Fire Salaries Account to cover an anticipated shortfall. **MOTION** by Councilor Pfeffer to approve Resolution 12-52 **SECONDED** by Councilor Powderly. **DISCUSSION:** Fire Chief Gary McCarraher explained additional funds were needed to cover overtime expenses. Overtime has been used more frequently as the Fire Department has experienced firefighters who are injured. Mr. McCarraher sited the reduction in total town firefighters as putting stress on staff. Mr. McCarraher said he has been working on plans to alleviate the incidence of injuries; one action is the Fire Department has applied for a Federal Grant that would allow the Department to hire four firefighters. Another plan is the use of regionalized dispatch. Mr. McCarraher added he wished to amend the amount of requested funds needed from \$75,000 to \$80,000. Mr. McCarraher explained the increased request was due to recent injuries. **MOTION** by Councilor Pfeffer to amend appropriation amount from \$75,000 to \$80,000 **SECONDED** by Councilor Powderly. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous. MOTION** by Councilor Powderly to approve Resolution 12-52 as amended **SECONDED** by Councilor Pfeffer. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous.**

Resolution 12-53: Appropriation: Unemployment Trust Fund – 84910893 - Councilor Pfeffer read the resolution to transfer \$50,000 from Free Cash to the Unemployment Trust Fund to cover future unemployment costs. **MOTION** by Councilor Pfeffer to approve Resolution 12-53 **SECONDED** by Councilor Powderly. **DISCUSSION:** Mr. Nutting explained there has been a great drain on the Unemployment Trust Fund in recent years. The Fund currently has a balance of

\$70,000 and the estimated costs for this year is \$380,000. Mr. Nutting stated he would like to build up the Trust using Free Cash as opposed to adding the expense to the annual budget as adding to the budget would cause the Town to issue additional layoffs. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous.**

Resolution 12-54: Request for Legislation: Towns of Franklin, Norfolk, Plainville and Wrentham Regional Public Safety Communications and Dispatch Center – Councilor Pfeffer read the resolution to create a Regional Public Safety Communications and Dispatch Center in the towns of Franklin, Norfolk, Plainville and Wrentham. **MOTION** by Councilor Powderly to move Resolution 12-54 **SECONDED** by Councilor Kelly. **DISCUSSION:** Mr. Nutting and Fire Chief Gary McCarraher explained the towns have been working on this project for several years. The dispatch center would be located in Wrentham’s existing Police Station and the State would fund the start-up costs. Mr. McCarraher supports this project as it will save the Town money, and will be more efficient. The project is expected to begin by the end of 2013. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous.**

Resolution 12-55: Acceptance of Gift: Council on Aging – Councilor Pfeffer read the resolution to gratefully accept on behalf of the Council on Aging, \$400 from the Franklin Interfaith Council and thanked them for their generosity. **MOTION** by Councilor Powderly to move Resolution 12-55 **SECONDED** by Councilor Jones. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous.**

Zoning Bylaw Amendment 12-685: Amendment to 185, Section 24, Flood Plain Districts- 1ST Reading: **MOTION** by Councilor Powderly to waive the reading **SECONDED** by Councilor Kelly. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous.** **MOTION** by Councilor Jones to move Zoning Bylaw Amendment 12-685 to a 2nd Reading **SECONDED** by Councilor Powderly. **DISCUSSION:** Mr. Nutting explained the flood plain lines are being adjusted, as is required. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous.**

Bylaw Amendment 12-688: Amendment to Chapter 82 of Service Fee Rates – 1st Reading: Councilor Pfeffer read the bylaw amendment to change the list of Service Fee Rates. **MOTION** by Councilor Powderly to move Bylaw Amendment 12-688 to a 2nd Reading **SECONDED** by Councilor Kelly. **DISCUSSION:** A great deal of discussion occurred regarding how fees were determined. Mr. Nutting agreed to have Karen Alves; Senior Center Director attend the next Council meeting to explain how the change of fees at the Senior Center were determined. Chairman Vallee

asked about the Recycling Center User Fee, which is currently an annual fee and not prorated. Chairman Vallee expressed concern the fee is unfair to charge a resident the full annual fee even when the permit is set to expire. Mr. Nutting said the issue had not come up before, but would look the Recycling Fee. The councilors agreed to add the topic of user fees for participants of athletic programs to a future Council meeting agenda. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: Unanimous.**

TOWN ADMINISTRATOR'S REPORT: Mr. Nutting presented the Council and community with a review of Town issues and challenges. There are several issues the administration and the Council have resolved, as well as several issues/challenges that are "open". ► Mr. Nutting reported the following: Governmental Accounting Standards Board (GASB) 45 – Other Postemployment Benefits (OPEB) remains a concern; Health Insurance premiums/costs have been reduced by 3%; Storm Water issues are being worked on; Zoning Changes to allow for additional commercial use have been passed; Bylaw changes allowing for several of the Town's bylaws to be updated have been passed; DelCarte Property project will go out to bid in late summer; Trash Fee has decreased; Town Land on Pond Street is open for discussion; Portable Classrooms are in the process of being phased out; Roads and drainage study is 99% complete and the Council voted to continue road improvements; Open Space continues to be an "open issue"; Davis Thayer School renovations are moving forward with a study authorized by the Council; Old Municipal Building future may include leasing a portion of the building to the cable company as the Town is currently in talks with the Cable Access Corporation; Collective Bargaining is almost completed with 7 to 8 of the 9 contracts settled; Cable Access Corporation was approved by the Council and the Master Plan Committee was appointed. ► Mr. Nutting discussed some of the issues raised by the Councilors during a December 2011 Town Council Workshop as follows: Department heads have attended Council Meetings and made presentations in an effort to keep the Council up to date; State Senators have been invited to Council Meetings, but have been unable to attend thus far; National Grid has assured Mr. Nutting the National Grid Report will be provided to the Town by mid-July; Sign Bylaw was adopted; Trees/Beautification Project has been addressed by the DPW by working on Cottage Street and other streets are being reviewed; Remote Participation was approved; Pilot Payments will be addressed this fall when Dean College makes a presentation to the Council; Field Fees are on hold; Move Trains from Downtown appears to be off track due to the economy and the Town does not have land the size and scope that meets the MBTA requirements. ► Looking ahead, Mr. Nutting explained although there were no layoffs this year, difficult decisions regarding future services will have to be made. The bottom line is the revenues do not keep pace with expenses. Several options are available including reduction in staff, reduction in services, changes to laws/regulations to reduce cost, regionalizing services, expansion of commercial/industrial tax base and raising property taxes. Mr. Nutting said a combination of all of these will be necessary to make ends meet. ► Mr. Nutting reviewed other issues that are being addressed: Downtown road project will commence in 2013; Old Municipal Building – working on options; Old Historical Museum – working with the Historical Commission on options; Improvements

to the Town Common – assessing options and costs; Library Certification – working with the Commission to maintain certification. ► Mr. Nutting was pleased to report that 80-90% of the list has been completed. ► Councilor Bissanti asked how Franklin compares to other towns in terms of tax basis. Mr. Nutting reported Franklin’s tax bill is low compared to most neighboring communities. Mr. Nutting said he was proud of the Town’s employees who get the work done for fewer dollars.

OLD BUSINESS: ► Councilor Jones requested an update on the Public Facilities Department Report as was discussed at an April Town Council Meeting. Mr. Nutting said the report will be forthcoming, but the summer is the busiest time of year for the Department. Councilors Pfeffer and Mercer asked about a computer generated summary of work orders, as the information is believed to be easily obtained this way.

NEW BUSINESS: Councilor Jones and Mr. Nutting discussed unfunded mandates required by the state and why such a list is near impossible to obtain. Mr. Nutting agreed to prepare a short-list of State mandates.

COUNCILOR COMMENTS: ► Councilor Jones congratulated the 5th Grade students who graduated from Davis Thayer earlier today and was pleased to see the Police Department building was being cleaned up after a leaky roof caused water damage. ► Councilor Kelly thanked Mr. Nutting for the report. ► Councilor Powderly thanked all of the volunteers who were reappointed at the evening’s meeting and wished everyone a safe July 4th and also thanked the July 4th Committee for their efforts. ► Chairman Vallee announced the next Town Council Meeting will be held on July 18, 2012.

EXECUTIVE SESSION: MOTION by Councilor Pfeffer that the Town Council move into Executive Session for the purpose of discussing Town strategy with respect to collective bargaining, as an open meeting may have a detrimental effect on the bargaining position of the public body as declared by the Chairman, and not return to Public Session **SECONDED** by Councilor Jones. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes.**
VOTE to Approve: Unanimous. Open Session adjourned at 9:04PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary